

September 10, 1993

Commissioner's Memo # 93-041

GMP #36

MEMORANDUM

TO: District Directors
Environmental Health Managers
Environmental Health Supervisors
Environmental Health Specialists

FROM: Robert B. Stroube, M.D., M.P.H.
State Health Commissioner

SUBJECT: Revalidation of Permits - Expired or Unexpired

The attached GMP is a revised interpretation of the Sewage Handling and Disposal Regulations explaining the necessary documentation to revalidate a permit. Please note that this GMP applies to permits that have expired as well as permits that have not expired, but for which the owner has requested revalidation.

This GMP replaces Dr. C. M. G. Buttery's February 3, 1988 memorandum and is effective immediately.

Please see that all environmental health specialists working in the onsite sewage program receive a copy of this GMP and that a copy is retained in the office GMP manual.

If you have any questions about this GMP, please contact the Division of Onsite Sewage and Water Services at (804) 786-1750.

pc: Office of Environmental Health Services Staff

GMP #36

Reference: § 2.18.B Revalidation

Purpose: This interpretation is to provide guidance in determining what constitutes a permit issued in accordance with the 1982 Sewage Handling and Disposal Regulations (as revised). This interpretation applies to all revalidation requests, whether the permit has expired or is still valid. All requests for permit revalidation (including permits issued prior November 1, 1982) are to be reviewed by the environmental health supervisor using the criteria in this GMP to determine what additional field work is required prior to revalidating the permit.

Where the documentation for a permit is complete as defined below, additional field work need not be done to provide a complete record. In all instances, the minimum site evaluation prior to revalidating a permit will include a site walk-over to confirm that the drainfield area has not been physically altered and that no wells or other structures have been constructed within the set back distances established in Table 4.4.

The following items must be addressed before the documentation is considered complete:

1. **Application.** The new application requesting revalidation must be for the same use (i.e., residential or commercial) and for the same or a lower design rate than the original application. In instances where the original application is not on file the environmental health supervisor may determine if the proposed use appears to be consistent with the previously use. The primary consideration in systems designed for residential use is ensuring that adequate area is available for the sewage disposal system and reserve area, if required.

2. **Soil Profiles.** To be revalidated, all previously issued permits must have at least three soil profile hole descriptions (see § 3.4.C.4), located within the proposed drainfield area, to a depth sufficient to assure minimum stand-off distances are met (see § 3.4.C.3 and Tables 4.4 and 4.5). Each description shall include the color and the texture of all relevant soil horizons.

3. **Site Location.** The drainfield site must be triangulated (see attached sketches) using either two prominent and permanent landmarks, or one reference point and a distance drawn at a 90 degree angle to that reference point. The attached sketches are indicative of what should be on field sketches, not permits. Whether this information occurs on the permit or field sketch is not important; that it exists as a part of the record is mandatory.

In reviewing a permit or a field sketch the environmental health supervisor should be assured that the site is located well enough that a field environmental health specialist, homeowner, or contractor can locate the site within 10 feet of the originally intended area. In general, more accurate locations are preferred and should be required on new permits.

4. Performance History. Who did the work, what the environmental health specialist's level of competence was, what soils are likely to be encountered where the permit was issued, and any other factors which may affect the quality of the previously issued permit must be considered prior to revalidating the permit.

5. Landscape Position. An accurate reference to the landscape position where the drainfield site occurs must be noted.

6. Supervisor's Sign-off. The original permit, if issued after November 1, 1982, must have the signature of the environmental health specialist supervisor indicating that the permit was properly reviewed prior to issuance.